

111TH CONGRESS
1ST SESSION

H. R. 3725

To relieve traffic congestion.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2009

Mr. CASTLE (for himself and Mr. CAPUANO) introduced the following bill;
which was referred to the Committee on Transportation and Infrastructure

A BILL

To relieve traffic congestion.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Highway
5 Chokepoint Congestion Relief Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) In 2007, traffic congestion in the top 437
9 urban areas resulted in major chokepoints and bot-
10 tlenecks, causing Americans to lose 4.2 billion hours
11 and 2.9 billion gallons of fuel sitting in traffic jams.

1 (2) At the most traffic congested chokepoints,
2 each rush hour traveler “pays” an annual virtual
3 congestion tax of between \$600 and \$1,600 in lost
4 time and fuel and spends the equivalent of almost
5 eight work days each year stuck in traffic.

6 (3) Traffic congestion threatens business pro-
7 ductivity through the loss of efficient delivery cycles,
8 the need for increased inventory, and the cost of
9 congestion-related fuel emissions.

10 (4) Traffic congestion causes highway crashes
11 that can kill drivers, their passengers and other mo-
12 torists. As highway crowding grows and motorists
13 jockey for position at exits and entryways, the poten-
14 tial for highway crashes increases.

15 (5) Traffic congestion chokepoints hinder the
16 Nation’s progress in improving air quality. Vehicles
17 caught in stop-and-go traffic emit far more pollut-
18 ants, particularly carbon monoxide and volatile or-
19 ganic compounds, than they do when operating with-
20 out frequent braking and acceleration.

21 (6) In the largest cities of the Nation, highway
22 congestion impacts 67 percent of travel, lasts seven
23 hours per day in duration, and increases by 37 per-
24 cent the length of the average rush hour driver’s
25 trip.

1 (7) Traffic congestion is no longer simply a
2 problem in the central areas of large cities. In fact,
3 the rate of congestion has increased dramatically in
4 medium-sized cities and suburban areas.

5 (8) In a 2005 National League of Cities survey,
6 traffic congestion led all other categories, including
7 education and healthcare, when respondents were
8 asked to identify the most deteriorated conditions in
9 their cities over the last five years.

10 (9) In December 2007, the National Surface
11 Transportation Policy and Revenue Study Commis-
12 sion noted that certain chokepoints impede national
13 and regional movements and recommended that a
14 distinct program be established to fund projects that
15 reduce traffic congestion.

16 **SEC. 3. CHOKEPOINT CONGESTION RELIEF PROGRAM.**

17 Not later than 180 days after the date of enactment
18 of this Act, the Secretary of Transportation shall issue
19 regulations that establish a chokepoint congestion relief
20 program pursuant to the requirements of this Act.

21 **SEC. 4. NATIONAL CHOKEPOINT REGIONS.**

22 Not later than 180 days after the date of enactment
23 of this Act, the Secretary shall develop criteria for desig-
24 nating national chokepoint regions in a State, or more

1 than one State if the States are contiguous, based on fac-
2 tors, including—

3 (1) daily vehicle-miles of travel;

4 (2) estimates of annual hours of delay per trav-
5 eler;

6 (3) comparisons of peak period travel time to
7 free-flow travel time (travel time index);

8 (4) percentage of trucks in traffic stream;

9 (5) estimates of wasted fuel per traveler;

10 (6) estimates of extra costs due to travel delay
11 and fuel consumption;

12 (7) percentage of daily travel in congested con-
13 ditions;

14 (8) proximity to shipping ports, airports, com-
15 muter rail, tourist destinations, and freight trans-
16 portation corridors;

17 (9) estimates of incident-related travel delay,
18 including roadside distractions and “rubbernecking”;

19 (10) abrupt changes in highway alignment such
20 as sharp curves and hills;

21 (11) intended interruption to highway flow such
22 as tollbooths and freeway ramp meters; and

23 (12) vehicle merging maneuvers such as
24 “lanedrop,” lane-blocking incidents, “weaving

1 areas”, freeway on-ramps, and freeway-to-freeway
2 interchanges.

3 **SEC. 5. GRANT PROGRAM.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of enactment of this Act, the Secretary may make
6 a grant for capital improvements under this Act to a State
7 department of transportation having jurisdiction over an
8 area within a national chokepoint region.

9 (b) SECRETARIAL APPROVAL.—A grant may only be
10 made under this Act for an eligible project described in
11 section 7.

12 (c) COORDINATION WITH EXISTING PROGRAMS.—
13 The Secretary shall coordinate the chokepoint congestion
14 relief program with existing programs, including the cor-
15 ridors of the future program.

16 (d) CONSTRUCTION STANDARDS.—A project to be
17 carried out with assistance under this Act that is for a
18 highway that is on a Federal-aid system (as defined in
19 section 101 of title 23, United States Code) shall be con-
20 structed to the same standards that would apply if such
21 project was being carried out with assistance under chap-
22 ter 1 of title 23, United States Code.

23 (e) FEDERAL SHARE.—

1 (1) IN GENERAL.—The Federal share of the
2 cost of an eligible project for which a grant is made
3 under this Act shall be 80 percent.

4 (2) NON-FEDERAL SHARE.—The non-Federal
5 share of the cost of an eligible project for which a
6 grant is made under this Act may not be provided
7 from Federal funds made available under any other
8 law.

9 **SEC. 6. APPORTIONMENT OF FUNDS.**

10 (a) IN GENERAL.—The Secretary is authorized to
11 carry out the chokepoint congestion relief program de-
12 scribed in section 5 by apportioning amounts to State de-
13 partments of transportation, in the form of capital im-
14 provement grants, for carrying out eligible projects in the
15 national chokepoint regions.

16 (b) FORMULA FOR APPORTIONMENT.—The Secretary
17 shall develop a formula for apportioning amounts to eligi-
18 ble projects in national chokepoint regions based on—

19 (1) estimates of annual hours of delay per trav-
20 eler;

21 (2) daily vehicle-miles of travel on Federal-aid
22 highways; and

23 (3) comparisons of peak period travel time to
24 free-flow travel time (travel time index).

1 (c) APPORTIONMENTS TO MORE THAN ONE
2 STATE.—If a national chokepoint region is within the
3 boundaries of more than one State, the Secretary shall ap-
4 portion the funds apportioned under subsection (a) for
5 carrying out eligible projects in such national chokepoint
6 regions among such States as follows:

7 (1) 50 percent of the apportionment in the ratio
8 that—

9 (A) the total lane miles of Federal-aid
10 highways in the national chokepoint region in
11 each of such States; bears to

12 (B) the total lane miles of Federal-aid
13 highways in the national chokepoint region in
14 all of such States.

15 (2) 50 percent of the apportionments in the
16 ratio that—

17 (A) the total vehicle miles traveled on lanes
18 on Federal-aid highways in the national
19 chokepoint region in each of such States; bears
20 to

21 (B) the total vehicle miles traveled on
22 lanes on Federal-aid highways in the national
23 chokepoint region in all of such States.

24 (d) PERIOD OF AVAILABILITY.—Amounts granted to
25 a State department of transportation for carrying out an

1 eligible project, from amounts apportioned under this sub-
2 section, shall remain available for obligation for a period
3 of 6 years after the last day of the fiscal year for which
4 the funds are authorized to be appropriated. Any amounts
5 so apportioned that remain unobligated at the end of such
6 period shall be allocated to other States for the purpose
7 of funding eligible projects located in national chokepoint
8 regions at the discretion of the Secretary.

9 **SEC. 7. PROJECT SELECTION AND ELIGIBILITY.**

10 (a) **SELECTION PROCESS GUIDELINES.**—Not later
11 than 180 days after the date of enactment of this Act,
12 the Secretary shall issue project selection guidelines for
13 a State department of transportation to follow in selecting
14 eligible projects for which grants may be made under this
15 Act.

16 (b) **MINIMUM REQUIREMENTS.**—The selection guide-
17 lines issued by the Secretary pursuant to subsection (a)
18 shall include a requirement that a State department of
19 transportation—

20 (1) consult with local governments, port au-
21 thorities, and regional planning organizations during
22 the project selection process;

23 (2) adhere to applicable metropolitan and state-
24 wide planning processes, including sections 134 and
25 135 of title 23, United States Code, in selecting

1 projects for which grants may be made under this
2 Act;

3 (3) develop and implement a selection process
4 that is in writing and available to the public;

5 (4) develop and implement a process for rating
6 proposed projects for which grants may be made
7 under this Act; and

8 (5) identify the basis for rating projects under
9 paragraph (4).

10 **SEC. 8. DEFINITIONS.**

11 In this Act, the following definitions apply:

12 (1) **ELIGIBLE PROJECT.**—The term “eligible
13 project” means a project or activity eligible for as-
14 sistance under chapter 1 of title 23, United States
15 Code.

16 (2) **FEDERAL-AID HIGHWAY.**—The term “Fed-
17 eral-aid highway” has the meaning such term has
18 under section 101 of title 23, United States Code.

19 (3) **SECRETARY.**—The term “Secretary” means
20 the Secretary of Transportation.

21 (4) **STATE.**—The term “State” means any of
22 the 50 States, the District of Columbia, and Puerto
23 Rico.

24 (5) **STATE DEPARTMENT OF TRANSPOR-**
25 **TATION.**—The term “State department of transpor-

1 tation” has the meaning such term has under sec-
2 tion 101 of title 23, United States Code.

3 **SEC. 9. SENSE OF CONGRESS REGARDING PERFORMANCE**
4 **MEASURES AND QUANTITATIVE GOALS FOR**
5 **STATE DOTs.**

6 It is the sense of Congress that—

- 7 (1) States should adopt both interim and long-
8 term objectives for significantly reducing traffic con-
9 gestion at chokepoint areas within each State; and
10 (2) establishing performance measures and
11 quantitative goals will allow State departments of
12 transportation to use available resources as effi-
13 ciently as possible on projects that have the max-
14 imum impact in reducing traffic congestion and im-
15 proving mobility.

16 **SEC. 10. SENSE OF CONGRESS ON NONAUTOMOTIVE TRAV-**
17 **EL MODES, TRAVEL DEMAND MANAGEMENT,**
18 **GROWTH MANAGEMENT STRATEGIES, AND**
19 **GREEN INFRASTRUCTURE.**

20 It is the sense of Congress that alleviating traffic con-
21 gestion requires that the House of Representatives and the
22 Senate commit to authorizing and funding—

- 23 (1) nonautomotive modes of travel, including
24 intercity passenger rail, commuter rail, light rail,
25 heavy rail, bus transit, and bikeways;

1 (2) travel demand management strategies, in-
2 cluding ridesharing, dedicated highway lanes for
3 high occupancy vehicles, staggered work hour initia-
4 tives, and telecommuting;

5 (3) growth management and land use strate-
6 gies; and

7 (4) strategies that promote the inclusion of
8 trees and green infrastructure along transportation
9 corridors, which has been shown to reduce air pollu-
10 tion by removing airborne contaminants and to re-
11 duce congestion by calming traffic and creating safer
12 roadways.

13 **SEC. 11. RITA STUDY OF CONGESTION PRICING.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Administrator of the Research and Innova-
16 tive Technology Administration, through the Volpe Na-
17 tional Transportation Systems Center, shall—

18 (1) study the extent to which congestion pricing
19 can provide an incentive for travelers to drive during
20 off-peak hours or to change their mode of transpor-
21 tation for time-sensitive journeys;

22 (2) study the potential for congestion pricing to
23 generate revenue and thus require less tax-based
24 funding;

1 (3) study foreign congestion pricing practices,
2 such as those utilized in London, England, and
3 Stockholm, Sweden, and the cost and feasibility of
4 implementing selected best practices in the United
5 States; and

6 (4) report the results of the study to the Com-
7 mittee on Transportation and Infrastructure of the
8 House of Representatives and the Committee on
9 Commerce, Science, and Transportation of the Sen-
10 ate.

11 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated from the
13 Highway Trust Fund such sums as may be necessary to
14 carry out this Act for fiscal years 2010 through 2015.

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